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10/783,378	02/20/2004	Hartmut Neven SR.	24207-12225	6413
62296	7590	04/01/2009	EXAMINER	
GOOGLE / FENWICK			GILES, NICHOLAS G	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HARTMUT NEVEN SR

Application No. 10/783,378
Technology Center 2600

Mailed: April 1, 2009

Before PAMELA S. BENNETT, *Review Team Paralegal.*

BENNETT, *Review Team Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on March 4, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

APPEAL BRIEF, CLAIMS APPENDIX

A review of the Appeal Brief filed October 2, 2008 reveals that claims 11, 28, 29 and 31 appearing in the Claims Appendix of the Appeal Brief are not consistent as amended in the last entered amendment filed on May 29, 2008.¹ Appropriate correction of all claims provided in the Claims Appendix is required.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) for notification to appellants to file a “paper” correcting the Claims Appendix of the Brief filed October 2, 2008 (an entire new Appeal Brief is not required);
- 2) for consideration of said “paper”; and
- 3) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

PSB

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¹ The Advisory Action mailed June 18, 2008 stated that the Amendment filed May 29, 2008 was entered.